

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**CTD NETWORKS, LLC,  
Plaintiff,**

**v.**

**MUSARUBRA US, LLC,  
Defendant**

**Civil Action No. 2:23-cv-00273-JRG**

**JURY TRIAL DEMANDED**

**DOCKET CONTROL ORDER**

In accordance with the scheduling conference held in this case, it is hereby **ORDERED** that the following schedule of deadlines is in effect until further order of this Court:

April 7, 2025	*Jury Selection – 9:00 a.m. in [Marshall], Texas
7 days before Jury Selection March 31, 2025	*Defendant to disclose final invalidity theories, final prior art references/combinations, and final equitable defenses. <sup>1</sup>
10 days before Jury Selection March 28, 2025	*Plaintiff to disclose final election of Asserted Claims. <sup>2</sup>
March 10, 2025	* If a juror questionnaire is to be used, an editable (in Microsoft Word format) questionnaire shall be jointly submitted to the Deputy Clerk in Charge by this date. <sup>3</sup>

<sup>1</sup> The proposed DCO shall include this specific deadline. The deadline shall read, “7 days before Jury Selection,” and shall not include a specific date.

<sup>2</sup> Given the Court’s past experiences with litigants dropping claims and defenses during or on the eve of trial, the Court is of the opinion that these additional deadlines are necessary. The proposed DCO shall include this specific deadline. The deadline shall read, “10 days before Jury Selection,” and shall not include a specific date.

<sup>3</sup> The Parties are referred to the Court’s Standing Order Regarding Use of Juror Questionnaires in Advance of *Voir Dire*.

March 3, 2025	*Pretrial Conference – 9:00 a.m. in <b>Marshall, Texas</b> before Judge Rodney Gilstrap
February 24, 2025	*Notify Court of Agreements Reached During Meet and Confer  The parties are ordered to meet and confer on any outstanding objections or motions <i>in limine</i> . The parties shall advise the Court of any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference.
February 24, 2025	*File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, Responses to Motions <i>in Limine</i> , Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations
February 18, 2025	*File Notice of Request for Daily Transcript or Real Time Reporting.  If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Shawn McRoberts, at shawn_mcroberts@txed.uscourts.gov.
February 10, 2025	File Motions <i>in Limine</i>  The parties shall limit their motions <i>in limine</i> to issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice by giving appropriate instructions to the jury.
February 10, 2025	Serve Objections to Rebuttal Pretrial Disclosures
February 3, 2025	Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures
January 21, 2025	Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof
January 13, 2025	*Response to Dispositive Motions (including <i>Daubert</i> Motions). Responses to dispositive motions that were filed <u>prior</u> to the dispositive motion deadline, including <i>Daubert</i> Motions, shall be due in accordance with Local Rule CV-7(e), not to exceed the deadline as set forth in this Docket Control Order. <sup>4</sup> Motions for Summary Judgment shall comply with Local Rule CV-56.

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<sup>4</sup> The parties are directed to Local Rule CV-7(d), which provides in part that “[a] party’s failure to oppose a motion in the manner prescribed herein creates a presumption that the party does not

December 30, 2024	<p>*File Motions to Strike Expert Testimony (including <i>Daubert</i> Motions)</p> <p>No motion to strike expert testimony (including a <i>Daubert</i> motion) may be filed after this date without leave of the Court.</p>
December 30, 2024	<p>*File Dispositive Motions</p> <p>No dispositive motion may be filed after this date without leave of the Court.</p> <p>Motions shall comply with Local Rule CV-56 and Local Rule CV-7. <u>Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</u></p>
December 23, 2024	Deadline to Complete Expert Discovery
December 9, 2024	Serve Disclosures for Rebuttal Expert Witnesses
November 18, 2024	Deadline to Complete Fact Discovery and File Motions to Compel Discovery
November 18, 2024	Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof
October 22, 2024	Comply with P.R. 3-7 (Opinion of Counsel Defenses)
October 1, 2024	*Claim Construction Hearing – _____ [a.m. / p.m.] in [ <b>Marshall / Texarkana</b> ], <b>Texas</b> before [Judge Rodney Gilstrap / Judge Roy Payne / Judge Boone Baxter]
September 17, 2024	*Comply with P.R. 4-5(d) (Joint Claim Construction Chart)
September 10, 2024	*Comply with P.R. 4-5(c) (Reply Claim Construction Brief)
September 3, 2024	Comply with P.R. 4-5(b) (Responsive Claim Construction Brief)

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controvert the facts set out by movant and has no evidence to offer in opposition to the motion.” If the deadline under Local Rule CV 7(e) exceeds the deadline for Response to Dispositive Motions, the deadline for Response to Dispositive Motions controls.

August 20, 2024	<p>Comply with P.R. 4-5(a) (Opening Claim Construction Brief) and Submit Technical Tutorials (if any)</p> <p>Good cause must be shown to submit technical tutorials after the deadline to comply with P.R. 4-5(a).</p>
August 20, 2024	<p>Deadline to Substantially Complete Document Production and Exchange Privilege Logs</p> <p>Counsel are expected to make good faith efforts to produce all required documents as soon as they are available and not wait until the substantial completion deadline.</p>
August 6, 2024	Comply with P.R. 4-4 (Deadline to Complete Claim Construction Discovery)
July 30, 2024	File Response to Amended Pleadings
July 16, 2024	<p>*File Amended Pleadings</p> <p>It is not necessary to seek leave of Court to amend pleadings prior to this deadline unless the amendment seeks to assert additional patents.</p>
July 9, 2024	Comply with P.R. 4-3 (Joint Claim Construction Statement)
June 18, 2024	Comply with P.R. 4-2 (Exchange Preliminary Claim Constructions)
May 28, 2024	Comply with P.R. 4-1 (Exchange Proposed Claim Terms)
November 9, 2023	Comply with Standing Order Regarding Subject-Matter Eligibility Contentions <sup>5</sup>
November 9, 2023	Comply with P.R. 3-3 & 3-4 (Invalidity Contentions)
October 19, 2023	<p>*File Proposed Protective Order and Comply with Paragraphs 1 &amp; 3 of the Discovery Order (Initial and Additional Disclosures)</p> <p>The Proposed Protective Order shall be filed as a separate motion with the caption indicating whether or not the proposed order is opposed in any part.</p>

<sup>5</sup> <http://www.txed.uscourts.gov/sites/default/files/judgeFiles/EDTX%20Standing%20Order%20Re%20Subject%20Matter%20Eligibility%20Contentions%20.pdf> [https://perma.cc/RQN2-YU5P]

October 19, 2023	*File Proposed Docket Control Order and Proposed Discovery Order  The Proposed Docket Control Order and Proposed Discovery Order shall be filed as separate motions with the caption indicating whether or not the proposed order is opposed in any part.
October 5, 2023	Join Additional Parties
September 14, 2023	Comply with P.R. 3-1 & 3-2 (Infringement Contentions)

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

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HONORABLE JUDGE PRESIDING